

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
                  v.                                ) CR. NO. 2:06cr231-MHT  
  )  
DARRYL LAMAR STOKES                        )

UNITED STATES OF AMERICA'S MOTION  
FOR A FINAL ORDER OF FORFEITURE

The United States of America, by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case and states as follows:

That on March 2, 2007, this Court entered a Preliminary Order of Forfeiture ordering defendant Darryl Lamar Stokes to forfeit:

One Llama, Model I-Max .45 caliber pistol,  
serial number 07-04-00878-98.

That notice of this forfeiture and of the intent of the United States to dispose of the firearm in accordance with the law as specified in the Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the firearm was published in the Montgomery Independent newspaper on May 10, 17 & 24, 2007; and,

That no petitions of interest were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a Final Order of Forfeiture as proposed in the attached Order.

Defense counsel does not oppose entry of a Final Order of Forfeiture.

Respectfully submitted this 27<sup>th</sup> day of June, 2007.

FOR THE UNITED STATES ATTORNEY  
LEURA G. CANARY

/s/John T. Harmon  
John T. Harmon  
Assistant United States Attorney  
Bar Number: 7068-II58J  
Office of the United States Attorney  
Middle District of Alabama  
One Court Square, Suite 201 (36104)  
Post Office Box 197  
Montgomery, Alabama 36101-0197  
Telephone: (334) 223-7280  
Facsimile: (334) 223-7560  
E-mail: [John.Harmon@usdoj.gov](mailto:John.Harmon@usdoj.gov)

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2007, I electronically filed the foregoing Motion for Final Order of Forfeiture and Proposed Final Order of Forfeiture with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/John T. Harmon

John T. Harmon

Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
                  v.                                ) CR. NO. 2:06cr231-MHT  
  )  
DARRYL LAMAR STOKES                        )

FINAL ORDER OF FORFEITURE

WHEREAS, on March 2, 2007, this Court entered a Preliminary Order of Forfeiture, ordering defendant Darryl Lamar Stokes to forfeit the following firearm:

One Llama, Model I-Max .45 caliber pistol,  
serial number 07-04-00878-98.

The United States published notice of this forfeiture in the Montgomery Independent newspaper in accordance with the law and as specified in the Preliminary Order, and further notified all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the firearm;

No timely petition has been filed; and,

The Court finds that defendant Darryl Lamar Stokes had an interest in the firearm that is subject to forfeiture pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c). The United States has established the requisite nexus between such firearm in the commission of the violation of Title 18, United States Code, Section 922(g)(1).

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The following firearm is hereby forfeited to the United

States pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c):

One Llama, Model I-Max .45 caliber pistol,  
serial number 07-04-00878-98.

2. All right, title and interest to the firearm described above is hereby condemned, forfeited and vested in the United States of America and shall be disposed of according to law;

3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and,

4. The Clerk of the Court shall forward two certified copies of this Order to the United States Attorney's Office.

SO ORDERED this the \_\_\_\_ day of \_\_\_\_\_, 2007.

---

UNITED STATES DISTRICT JUDGE